

Docket No: ZERNICKEL-2  
Appl. No: 10/643,209

### REMARKS

With regard to the requirement for election which is the only point raised in the Official Action, Applicant hereby provisionally elects the species B (Fig. 3) as covered by claims 1-8, 18, 19, 21, with at least claim 18 being generic.

Applicant's election is made without traverse. As noted by the Examiner, upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species, provided that all claims to all additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. §1.141.

It is noted that each named inventor of the subject matter of the instant application contributed at least to one of the claims, presently on file.

With regard to claims 9-17, 20, 22-24 constituting the other species, applicant does not waive any of his rights therefore or abandon such subject matter.

Since applicant has fully and completely responded to the Official Action and has made the required election, this application is now in order for early action at least on the merits of claims 1-8, 18, 19, 21.

Respectfully submitted,

By: 

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